

MINUTES  
OF THE MEETING OF THE  
TRAFFIC AND PARKING COMMISSION  
November 10, 2008

The regular monthly meeting of the Traffic and Parking Commission was held at 3:00 p.m. on Monday, November 10, 2008, at the Metro Southeast at Genesco Park. The following were present unless noted otherwise:

Commission Members

Debbie Frank, Chairperson	Feller Brown
Richard Fletcher, Vice Chairperson	Breonus Mitchell, Sr.
Kathy Austin	Richard M. Morin - absent
Capt. Randall Hickerson	Council Member Carl Burch
Gene Ward	

Staff Members

Mark Macy, Engineering Director	Theresa Costonis, Legal Advisor
Chip Knauf, Traffic Engineer	Diane Marshall, Parking Administrator
Korby Bowden, Engineering Tech II	Mauri Wood, Collier Engineering
Benny Word, Collier Engineering	

Others Present

Rick Bargsdale, Packing Precision Company  
Council Member Karen Bennett, District 8  
Council Member Erik Cole, District 7  
Sheila Carpenter, Pres. Maynor Place Home Owners Association  
Roy Dale, Dale & Associates  
Jeff Hammond, RPM Transportation  
Evan Heardman, American Business  
Shawn Henry, Tune, Entrekin & White, PC  
Jay Marcy, 5620 Stoneway Trail  
Mr. George Mitchell, American Business Center  
Bob Murphy, RPM Transportation  
Mark Quarles, 5640 Stoneway Trail  
David Sowell, 1024 West Kirkland Ave.  
John Stevenson, Owner American Business Center  
Wilson Stevenson, American Business Center

Chairperson Debbie Frank called the meeting of November 10, 2008, to order at 3:05 p.m.

**CALL TO ORDER**

Ms. Frank mentioned Ordinance No. BL2006-1050 regarding the appeals process of the Traffic and Parking Commission.

*"If you are not satisfied with a decision made by the Traffic & Parking Commission, you may appeal the decision by filing for a writ of certiorari with the Davidson County*

*Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Commission's decision. We advise that you seek your own independent legal advice to ensure that your appeal is filed in a timely manner and that all procedural requirements have been met."*

### **APPROVAL OF AGENDA**

Rev. Breonus Mitchell moved for **approval** of the Agenda, seconded by Mr. Richard Fletcher and **approved with no opposition**.

### **APPROVAL OF MINUTES**

Mr. Chip Knauf noted that there had been a change to the October Minutes for Appeal Item #1.

It shall officially read: "Appeal the denial of a driveway on Murfreesboro Pk. approximately 300' West of Dover Glen Dr. at the Shoppes at Dover Glen Development, RPM Transportation"

Council Member Burch moved for approval of the revised October 13, 2008, Minutes and seconded by Ms. Kathy Austin, **approved by voice vote with no opposition**.

### **CONSENT AGENDA**

Ms. Frank read a list of items proposed for **approval** on consent.

#### **1. RESOLUTION NO. 2008-11**

- Authorize Traffic Signal on Old Hickory Blvd. near Old Lebanon Dirt Rd. at Hermitage Commons Development
- Establish Lynnmeade Dr. as "Through Street" from Lebanon Pk. to Dead End
- Authorize Stop on Farley Pl. at Meadow Cliff Dr.
- Modify "No Parking or Standing" on south side of West End Ave. from 17<sup>th</sup> Ave. S to 31<sup>st</sup> Ave. S from 7:00am-9:00am to 6:00am-9:00am.
- Authorize Valet Parking Only 11:00am-2:00pm on both sides of Adelicia Ave. between 19<sup>th</sup> Ave. S and 20<sup>th</sup> Ave. S
- Establish "No Parking Stadium Events, 1 Hr. Parking Non-Event" 8:00am-6:00pm on S. 2nd St., west side between Russell St. and Victory Ave.
- Authorize 50' Valet Parking Zone at 2013 Belmont Blvd. from 11:00am-2:00pm on Sunday, 6:00pm-midnight Tuesday-Saturday at Cha-Cha Restaurant

#### ***Resolution Items for Music City Central:***

- Establish 40' "Taxi Cab Only" and 50' "Capitol Police Parking Only" on Charlotte Ave., north side between 4<sup>th</sup> Ave. N and 5<sup>th</sup> Ave. N

- Authorize 50' 24-Hour Loading Zone and 50' Passenger Loading Zone on Charlotte Ave., north side between 4<sup>th</sup> Ave. N and 5<sup>th</sup> Ave. N

## **REPORTS**

1. Parking – *included in agenda packet*
2. Engineering – *included in agenda packet*
3. Accepted Roadway Report – *included in agenda packet*

Mr. Fletcher made a motion to approve the Consent Agenda, seconded by Rev. Mitchell and **approved by a voice vote.**

## **OLD BUSINESS**

1. Request to appeal denial of “No Trucks Over 5000 Pounds” on Iverson Ave. from Gallatin Pk. to Coney St. & Maynor Ave. from Gallatin Pk. to Dead End, requested by Council Member Karen Bennett, District 8

Mr. Chip Knauf, Metro Public Works, reviewed slides and information regarding the request by Council Member Bennett. He noted that this area is zoned residential and industrial in a very close proximity and there are several issues surrounding the request to restrict trucks on Maynor Ave. and Iverson Ave.

He presented some video footage of the intersection of West Kirkland Ave. which would be impacted by the proposed truck restrictions and the effects it will have on trucks turning in and out of W. Kirkland Ave. Mr. Knauf pointed out that there are numerous factors that contribute to the recommendation that the truck restrictions be denied. These include: the presence of a median on Gallatin Pike which prohibits left turns into and out of West Kirkland Avenue and thereby generates the need to use Iverson Ave. or Maynor Ave. if desiring access to West Kirkland from the south or, when exiting the West Kirkland area, wanting to depart northerly, the railroad abutment on the west side of Gallatin Pike which limits sight distance when exiting West Kirkland, and the angle of the turn from Gallatin Pk. onto W. Kirkland Ave. when approaching from the north. It was also noted that the implementation of truck restrictions on Iverson Ave. and Maynor Ave. could lead to unwanted U-turns or re-routing by north traveling trucks wanting to access West Kirkland Avenue.

Mr. Knauf said that the original recommendation to either leave the streets as they are, which allows truck traffic to use the streets in question, or implement the truck restriction on either Maynor Avenue or Iverson Avenue - but not both, still stands.

Mr. Richard Fletcher asked if the Commission had limitations on the restrictions. Mr. Knauf said that the Commission can implement a truck restriction on any of these roads and has the authority to restrict based on direction, axles, weight, time of day, etc. Mr. Fletcher asked if the 61 trucks noted to be traveling on Maynor Ave. and Iverson Ave. were mostly during the day time hours. Mr. Knauf said that the information collected was over a 24 hour span but that a majority of the truck traffic was during the day and most is small box trucks.

Council Member Burch noted that in the video, a large semi truck was shown successfully turning into W. Kirkland Ave. from Gallatin Pk. Mr. Knauf agreed that the truck made the turn but noted that there were no cars exiting W. Kirkland Ave. at that time.

Mr. Fletcher asked if it should be understood that trucks should not travel on Maynor Ave., Coney St., and Iverson Ave. based on the width of the roads and the turning radius. He said that they were clearly not designed for trucks. Mr. Knauf noted that the radius is small but these trucks are managing to use them now. Mr. Knauf also noted that W. Kirkland Ave. was not designed for truck traffic either and has a smaller entering turning radius than does Maynor Av, Iverson Av, or Coney Street.

Council Member Burch said that he was aware of some discussion about removing the median on Gallatin Pk. but was unsure of the progress. He said that this situation has been in existence for a number of years and these homes and businesses were built before the current zoning process existed. He said that there have always been problems with the trucks traveling through the neighborhoods but there is also a hazard for these trucks turning into and out of W. Kirkland Ave. Mr. Macy said that he has met with Mr. Stevenson and his consultants and is aware of their desire to have the median removed. Mr. Macy noted that Public Works has seen some preliminary drawings regarding the removal of the median and a possible left turn lane. He said that Public Works is concerned that the proposed roadway modification would not improve that overall safety of the area and improving access at the cost of reducing safety is not an option. He said that he will be willing to look into any alternative, as long as it is safe. Mr. Macy pointed out that the charge of the Commission is to take action regarding the truck restriction based on existing conditions and the median removal does not fall under the jurisdiction of the Commission.

Mr. Fletcher asked if there was a possibility of installing a traffic light on the other side of the railroad bridge to regulate traffic for the prospective left turn lane. Mr. Macy said that a flashing light has recently been installed to notify the motorists on Gallatin Pk. However, signaling this intersection would be very difficult and he is not ready to make that decision without further investigation.

Chairperson Debbie Frank noted that the Commission is charged with the request to prohibit trucks on Iverson Ave. and Maynor Ave and not necessarily the median.

Chairperson Frank then recognized Council Member Karen Bennett.

Council Member Karen Bennett, District 8, noted that safety is her main concern and she would like to request that truck restrictions be implemented on Iverson Ave. and Maynor Ave. She committed to work with American Business Center in moving forward with increasing the safety for the trucks in this area but emphasized the desire to get the truck restrictions on Maynor Ave. and Iverson Ave. approved by the Commission

Ms. Sheila Carpenter, President of the Maynor Place Home Owners Association, brought some photographs of oil that leaked from a truck on her street. She said that the truck business had little respect for their neighborhood and the families. In trying to talk with the business owner, she said she had not gotten a favorable response. She noted that there are no sidewalks or shoulders on these streets. One has to walk in the street for exercise and she feels this is hazardous with the trucks being able to travel in this area. She said she did not want to see an accident in her neighborhood and would like a favorable recommendation for the trucks to be restricted on Maynor Ave. and Iverson Ave.

Ms. Kathy Austin noted that this was the fourth time that the Commission has heard this request after several deferrals for a compromise. She asked if there was any progress towards a compromise.

Council Member Bennett said that there have been numerous meetings including her, Metro Public Works, American Business Center and his consultants and no solution has been made. Ms. Austin asked if Council Member Bennett supported the proposals they have heard and seen over the past few months. Council Member Bennett said that she is in support of whatever Metro Public Works deems safe and appropriate for this area regarding the median. Mr. Mark Macy said that he has met with Mr. Stevenson and his consultants and heard their proposal of the turn lanes and improvements but it still does not relieve the need for trucks to be able to travel on these streets due to the inadequacies at West Kirkland Avenue.

Ms. Austin asked if there was any compromise on the restrictions between the business and the neighbors. Council Member Bennett said that is not a viable solution for the community. She said that the smaller trucks are a majority of the truck traffic and the only solution she sees as a safe alternative is to install a traffic light at the Gallatin Pk. and W. Kirkland Ave. intersection and implement the truck restriction.

Rev. Mitchell noted that this item was deferred by Council Member Bennett in the September meeting to meet with the business owners and possibly come up with a solution and it seems that there has been no progress. He asked if the goal was to restrict the trucks only to W. Kirkland and if the left turn and median were a safe alternative. Mr. Macy said that safety is arguable. He added that he did not have documented support showing that a left turn lane on Gallatin Pike would make this intersection safer.

Mr. Fletcher said that the Commission should not concern themselves with the median and left turn lane; but, they should focus on the implementation of the restrictions of trucks on these residential roads. Mr. Macy added that the proposed median removal and turn lane analysis would take some time as it is highly important that the proposal is thoroughly reviewed and supported by engineering documents and construction plans.

Chairperson Frank recognized Bob Murphy from RPM Engineering.

Mr. Bob Murphy, RPM Transportation, said he was asked by Mr. Stevenson to come up with some recommendations and resolutions of this issue. He said there are a number of problems regarding this area with the motorists on Gallatin Rd., truck traffic, the turning radius, the median and the railroad abutment and there is no clear solution. He said that sight distance presents a dangerous situation when turning out of W. Kirkland onto Gallatin Pk. Mr. Fletcher asked if their studies included the sight distance for Iverson Ave. and Maynor Ave. at Gallatin Pk. Mr. Murphy said that they did study these intersections and they have adequate sight distance.

Mr. Jeff Hammond, RPM Transportation, noted that W. Kirkland Ave. is a right turn in and right turn out intersection which are generally safest but not in this instance due to the very limited sight distance. The resulting alternatives are for the trucks to use either Maynor Ave. or Iverson Ave. to safely exit or enter from Gallatin Pk. He said they met last week to seek a compromise and created plans to construct a northbound left turn lane in the existing median. Mr. Hammond presented and discussed the details and benefits of the proposed left turn lane.

Mr. Murphy concluded that this is a difficult situation with no perfect solution. He said that he and his staff have tried to find the best solution and they do not feel that completely restricting truck access on both Iverson Ave. and Maynor Ave. would be a safe alternative. He said that as presented, constructing a left turn lane would have its benefits and restrictions but he does not feel that completely restricting access to either Maynor Ave. or Iverson Ave. is advisable.

Chairperson Frank asked if prohibiting trucks on one street or another was favorable. Mr. Hammond said that, if they had to choose, it was more favorable to restrict Maynor Ave. and leave Iverson Ave. He pointed out that the truck traffic was split evenly at this time and by closing one, it would increase the number on the other.

Mr. Roy Dale, Roy Dale Engineering, said that allowing these trucks to travel on residential roads is unsafe; however, restricting trucks from using these streets is unsafe as well. He said that he did not understand the reluctance to accept the left turn lane which would create a safer area for the neighbors and the trucks.

Mr. Wilson Stevenson, #4124 Franklin Rd., said that he was in favor of limiting the access on Maynor Ave. and Iverson Ave. but only after a left turn lane is installed. He said that by restricting trucks on these roads, they would be restricting access to their business. He noted that there was no safe way to get to this business complex, even using W. Kirkland. Installing a left turn lane would be the safest option. He added that it would be far more dangerous to restrict the trucks than the present condition.

Mr. Feller Brown asked who would be responsible for funding the construction of the left turn lane. Mr. Wilson Stevenson said that Mr. John Stevenson, owner of American Business Center, has offered to do the excavation of the median if Metro Public Works would agree to pave and finish the project. He said that they are willing to put forth 50% of the cost, as it is near mandatory for access to their business.

Mr. Dale said that to restrict access on Maynor Ave. and Iverson Ave. without any other access, they would be creating more unsafe movements on Gallatin Pk. Mr. Wilson Stevenson added that the trucks do not impose on personal property using these streets but they do encroach on the public right-of-way. However, a right turn onto W. Kirkland does encroach onto private property.

Mr. Feller Brown asked if there was a projected total cost of the installation of the left turn lane. Mr. Macy said that he could give a price but even if money was no object, Metro Public Works would not approve something of this magnitude without a complete and thorough review. Rev. Mitchell said that he understands the concerns of the neighbors but if trucks were restricted, it would bring up more traffic related issues on Gallatin Pk.

Chairperson Debbie Frank said that by prohibiting trucks on both of these streets, it creates a hardship for the business. She noted that these homes and businesses were built before zoning policies were in place and that a decision had to be made that may not be favored by both sides. Chairperson Frank said that the Commission is not charged for making a decision about a turn lane, but to either allow or prohibit trucks on Maynor Ave. and Iverson Ave.

Council Member Burch said that, as a representative from the Metro Council, he appreciates the concern that this Commission has regarding the neighbors and the business owners. However, the question at hand is where they would rather have an unsafe possibility. If the trucks are allowed to use these residential roads, it creates an unsafe situation for the families and neighbors. If the trucks are restricted, it creates a possible unsafe situation for the trucks and motorists on Gallatin Pk. and W. Kirkland.

**Council Member Burch made a motion to approve the appeal to restrict trucks on Maynor Ave. and Iverson Ave., as requested by Council Member Bennett.**

Mr. Heardman, American Business Center, noted that the truck drivers do not want to be driving through this subdivision as much as the neighbors do not want them there. However, the trucks only use these streets when it is necessary. He said that if they restrict the trucks on these roads, it will force these businesses to go miles out of their way to get in and out of the complex which is a financial hardship. Mr. Heardman said he did not feel it was fair to restrict the truck access on these roads without the left turn lane in place.

Mr. George Mitchell, American Business Center, said that he drives a Chevrolet Suburban and he does not use W. Kirkland to exit this area because of the sight distance and safety exiting onto Gallatin Pk. He said that he feels at least one of these streets needs to remain open for a safe entrance and exit for truck drivers and large vehicles. He added that there are nearly 40 businesses in this complex and restrictions on these roads would force some of them out of their jobs due to the cost of fuel and excessive travel time to get in and out of W. Kirkland.

Mr. David Sowell, 1024 W. Kirkland Ave., spoke in opposition of the truck restrictions as it would place a hardship on the deliveries and supplies he needs as a small business owner.

Mr. Shawn Henry, Tune, Entrekin & White, PC, discussed the size of this business complex, and stated that it is nearly the same size as the entire neighborhood of homes. He said that by restricting the access on Iverson Ave. and Maynor Ave., it would have a substantial impact on the tenants both functionally and financially. He said that Mr. Stevenson has filed a request on October 13 to remove the median. At that time, he submitted a request for the removal of the median to Public Works. Public Works accepted the application and did not approve the removal based on the need for additional information. He added that he would like to see a modified alternative to the motion on the table to at least allow trucks on one of the two streets in discussion.

Mr. John Stevenson, owner of American Business Center, said that if they are not granted the left turn lane, the trucks would be forced to turn around in parking lots and at other intersections on Gallatin Rd. He said with the truck restriction, there is no safe left hand turn into his property. By banning trucks 5,000 lbs. or more, it would be banning vehicles as small as a Toyota Tacoma. He said that he would settle for a restriction of trucks over 26,000 lbs. and an approval of the proposed left hand turn lane, which would create a safer situation for everyone.

Mr. Rick Bargsdale, Packing Precision Company, spoke in opposition of restricting the large trucks in this area. He said his business receives deliveries on semi trucks twice a month of supplies for operation. He said these restrictions would have a negative impact on his business.

Mr. John Stevenson expressed banning trucks over 5,000 lbs. and not allowing for a left turn lane is giving he and the other business owners no safe way in or out of the complex. Rev. Mitchell asked if he preferred one street over the other to be restricted. Mr. John Stevenson said he would be comfortable with restricting all trucks over 26,000 lbs. and banning trucks on Maynor Ave. Mr. Henry added that the neighbors do not have any opposition to the proposed left turn lane.

Council Member Burch said he would like to renew his motion to approve the appeal requested by Council Member Bennett but would like to open the conversation up for any amendments to his motion. Mr. Fletcher seconded this motion.

Chairperson Frank closed the public hearing. Mr. Fletcher discussed several options regarding the time frame of the installation and approval process of the left turn lane. Council Member Burch asked what choices they had for restrictions in this area. Mr. Knauf said that it is strictly up to the Commission, they can make restrictions based on weight, axles, length, etc. Mr. John Stevenson interjected that most semi trucks were 26,000 lbs.



Chairperson Frank asked if delivery trucks such as FedEx and UPS would still be allowed to deliver if restrictions were placed on these streets. Mr. Knauf said that, by Code, those deliveries are exempt from restrictions.

Rev. Mitchell asked if there was a problem with restricting trucks over 5,000lbs on Maynor Ave. and 26,000 lbs on Iverson Ave. He added that by completely restricting access on these streets is not a compromise. Ms. Austin asked what the reaction would be if they moved to amend the motion from 5,000 lbs to another poundage. Council Member Burch suggested they make an amendment to the language of the motion based on the timeframe of the approval and construction of a turn lane. He said, based on the discussion today, he would like to see a compromise achieved with the left turn lane but he understands that may or may not be possible.

Council Member Burch asked Mr. Macy for a general timeframe for approval and construction of such proposed plans. Mr. Macy said that there are many obstacles that would have to be over come and he recommended that the Commission make a motion without conditions based on the left turn lane. Mr. Macy said that construction details for a left turn lane will never appear before this Commission as roadway construction projects are not under the jurisdiction of the Commission. Mr. Fletcher said that with Mr. Stevenson willing to pay for a portion of the construction, he feels that there has to be a solution. Mr. Macy stated that the decision to remove or not remove isn't based on financing and agreed that he too would like to see a solution but they are not ready to commit to the project.

Chairperson Frank said that the Commission must make a decision in the parameters of the Charter. She suggested framing the motion around the suggestions and recommendations they have heard today. Mr. Fletcher said that he feels they should make an immediate restriction on 50' trucks and a time frame for all trucks to be restricted, in hopes the turn lane has been installed. Mr. Knauf said that the Commission can make any restrictions for these trucks but should note that the more difficult the restriction, the harder it is to enforce.

Mr. Gene Ward said that he is very familiar with this area and at this point, he does not see any ideal solution to make this work for everyone. He said that he is in support of the recommendation by the Metro Public Works staff for the roadways to remain as is with no restrictions.

Mr. Knauf said that staff would prefer trucks to be allowed to use Iverson Ave. and or Maynor Ave. He said that there is a safety issue with vehicles turning out of W. Kirkland and Metro Public Works cannot support that being the only option for trucks. Rev. Mitchell noted that he was in favor of the recommendation by staff.

Mr. Fletcher requested to amend the motion previously made by Council Member Burch with a motion for an immediate ban on trucks over 50' in length and, effective in nine months, all trucks over 25,000 lbs. on Iverson Ave., Maynor Ave. and Coney St.

**Council Member Burch made a motion for the immediate restriction of 50' trucks and, in 9 months, a 25,000 lbs. restriction on Maynor Ave., Iverson Ave., and Coney St.**

**The motion was seconded by Mr. Fletcher and was *approved by a 4-3 hand vote.* (For: Fletcher, Austin, Burch, Hickerson)**

### **APPEALS**

- Request to appeal denial of All-Way Stop signs at Kendall Dr. at Stoneway Trail and Kendall Dr. at Branch Creek Dr., requested by Mr. Mark Quarles (Council Member Jason Holleman, District 24)

Mr. Knauf presented information regarding the request for the All-Way Stops on Kendall Dr. The request noted that motorists were speeding down Kendall Dr. and that Metro Public Works has denied the request for the All-Way Stops. He said that, according to traffic counts, there is no speeding on Branch Creek Rd. He said that the area is participating in the Traffic Calming program and they will be receiving 30mph pavement markings in an attempt to slow the traffic in this area. Mr. Knauf said that the denial was based on the data from the counts, the excellent safety record and in hopes that they would continue to work with the Traffic Calming program.

Mr. Benny Word, Traffic Calming Manager, said that he has been working with Mr. Quarles and would like the opportunity to move forward in attempting to utilize other options to address his concerns.

Chairperson Frank asked what markings would be placed in this area. Mr. Word said that they will be large, white 30 MPH markings in several places on the street. He said that they have generally worked well in other neighborhoods that are participating in the Traffic Calming program. He said that they would follow up after the markings are placed and see the results and move forward. Chairperson Frank asked if the markings were being placed this week and when they would re-asses the speed in this area. Mr. Word said that the markings should be placed this week and that they would wait 2-3 months to see if they are having any impact on the speed. He said he would like to have a formal meeting with the Neighborhood Association in the mean time to get feedback from the neighbors and go from there.

Chairperson Frank said that this area is just starting the Traffic Calming program and have yet to see if they will see the benefits of those efforts. Mr. Knauf and Mr. Word agreed that they are in the beginning phase of the program. Mr. Word said they have followed the normal process and will continue to work with the neighbors and Council Member Holleman. Chairperson Frank noted that the request is a result of speeding and that the Traffic Calming program could very well address this concern. Mr. Word said that he hopes to have exactly what they need to slow the traffic and to avoid the installation of a stop sign, which is handled outside of the Traffic Calming program.

Mr. Mark Quarles, #5640 Stoneway Trail, said that he has lived in this neighborhood for 15 years and this has been a habitual problem in this area. He said that this neighborhood generally has young families and is a very active community and speeding on these roads presents a dangerous situation. He said they have contacted the Metro Police Dept. and they have been good about coming to monitor the speeding in this area, but he understands that they have other concerns in the county as well. He said that he has been in contact with Mr. Word but does not feel the pavement markings will aid in slowing the traffic.

Mr. Jay Marcy, #5620 Stoneway Trail, said that he enjoys where he lives and would like to see these changes made for their neighbors. He presented letters signed by 20 of the neighbors in favor of the All-Way Stops on Kendall Dr.

Ms. Kathy Austin asked if the neighborhood association had a position on the All-Way Stops and the Traffic Calming efforts. Mr. Quarles said that the neighborhood is in support of anything to slow the traffic. He said he spoke with the President of the Neighborhood Association and she is not in favor of speed humps but is in favor of any efforts to slow the traffic. Mr. Fletcher asked if the President was in support of the requested All-Way Stops. Mr. Quarles said she was not in opposition. Chairperson Frank said that the Commission makes any effort not to install stop signs to control speeding and they look to Mr. Word and the Traffic Calming efforts at this stage.

Mr. Feller Brown asked if Council Member Holleman supported this request. Mr. Quarles said that he asked the council member and he did not indicate that he was opposed. Mr. Brown said that when he was a Council Member, he had the same problems with people speeding and they placed these markings and saw improvements in the speed. He said that he would like to see them continue to work with Mr. Word and the Traffic Calming program and see how it works in their neighborhood.

Mr. Word said that he has had some contact with Mr. Quarles regarding this neighborhood since May but has yet to have a full neighborhood meeting. He said that he has started the process at the request of Mr. Quarles and would like to continue the Traffic Calming efforts in this area. Chairperson Frank said she feels they have not seen what benefits the program will have in this area.

**Mr. Gene Ward made a motion for indefinite deferral to allow time for Traffic Calming efforts and to hear from the other neighbors and the Council Member. Council Member Burch seconded the motion and an indefinite deferral was approved by a unanimous voice vote.**

## **NEW BUSINESS**

1. **Ordinance No. BL2008-307** – An ordinance amending Chapters 12.40 and 12.60 of the Metropolitan Code to prohibit the parking of motor vehicles within bicycle lanes.

Mr. Knauf presented information regarding the proposed changes to the Metropolitan Code regarding bike lanes. He said that by default, unless prohibited by signs, parking is currently allowed in bike lanes. This amendment to the Code would basically change the “default” on how parking in bike lanes would be signed and enforced. The existing Code requires signage to prohibit parking and the proposed Code would require signage to allow parking. The proposed Code would prohibit parking in a bike lane unless there are signs indicating that parking is allowed. Mr. Knauf stated that staff will support the decision by the Commission and will abide by the requirements of the proposed Code or existing.

Metro Legal read the proposed amendments to Code 12.40.040 and 12.60.135.

Chairperson Frank noted that this a proposed change in the use of bike lanes for parking.

Chairperson Frank recognized Council Member Erik Cole.

Council Member Erik Cole said that this matter came as a result of a dispute regarding people parking in bike lanes. Police Commander Robert Nash requested a legal opinion on how to ticket individuals parked in bike lanes and that is when we decided to make efforts to make the Code more clear about parking in bike lanes. He said that it is proposed to basically flip the default and it be understood that people should not park in the bike lanes unless it is signed that they can do so. He said he did not want to limit further bike lanes in Nashville and Bike/Walk Nashville has endorsed these efforts.

Mr. Ward asked if these areas would be signed. Mr. Knauf said that if it is approved, it would be understood, by default, that unless allowed or disallowed by signs, no parking is permissible in bike lanes. The new ordinance would be an understood no parking zone.

**Mr. Feller Brown made a motion to approve the Ordinance, seconded by Council Member Burch and *approved by a voice vote.***

2. Request for 400 free parking spaces for the “All About Women” health and wellness initiative on January 24, 2009 at the Nashville Public Library Garage

Ms. Diane Marshall said that by contract with the Downtown Partnership, any request for free parking has to be approved by the Traffic and Parking Commission.

Ms. Austin asked if this was a non-profit organization. Ms. Marshall said it was a non-profit event to provide a free health and wellness initiative for women.

**Mr. Gene Ward made a motion to approve the request, seconded by Rev. Mitchell and *approved by a voice vote.***

3. **Resolution No. 08-11:** The November monthly regulatory Resolution was previously approved under the Consent Agenda.

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Traffic and Parking Commission Resolution No. 08-11 authorized by Chapter 9 of the Charter of the Metropolitan Government of Nashville and Davidson County, Tennessee as amended.

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BE IT RESOLVED by the Traffic and Parking Commission of the Metropolitan Government of Nashville and Davidson County, Tennessee as follows:

**Schedule I, 'Traffic Control Signals'**

**ADD:**

Old Hickory Bv and Hermitage Commons

**Schedule V, 'Through Streets'**

**ADD:**

Birksberry Ct from Williamsport Ct to Dead End

Lynnmeade Dr from Lebanon Pk to Dead End

Riverfront Dr from Bridgeport Dr to Dead End

**Schedule VI, 'Stop and Yield Intersections'**

**ADD:**

Stop on Century Oak Dr at Sherbrook Ln

Stop on Cherokee Station Dr (SB) at Cherokee Station Dr

Stop on Farley Pl at Meadow Cliff

Stop on Hidden Creek Rd at Old Hickory Bv

Stop on River Walk Dr at Jackson Downs Bv

Stop on Rivers Edge Dr at Jackson Downs Bv

**Schedule VII, 'Parking Restrictions'**

Section A: Stopping, Standing, or Parking Prohibited

**DELETE:**

West End Av, south side from 31st Av S to 150' W Of Vanderbilt Univ. Main Entrance, NP OR S 7-9AM

West End Av, south side from 150'e Of Vanderbilt Un Main Entrance to 17th Av N, NP OR S 7-9AM

**ADD:**

West End Av, south side from 25th Av S to 17th Av S, NP or S 6-9am, Mon-Fri

West End Av, south side from 31st Av S to Natchez Trace, NP or S 6-9am Mon-Fri

Section C: Curb Parking

**DELETE:**

Adelicia, both sides from 19th Av S to 20th Av S, Valet Parking Only 5pm to 2am

**ADD:**

Adelicia Av, both sides from 19th Av S to 20th Av S, Valet Parking Only 11am-2pm & 5pm-2am

Charlotte Av, north side from 100' West of 4th Av N to 140' West of 4th Av N, Taxi Cab Only

Charlotte Av, north side from 15' West of 4th Av N to 65' West of 4th Av N, Capitol Police Parking Only

So 2nd St, west side from Russell St to 175' N of Victory Av, No Parking Stadium Even, 1 hr Parking Non-Even 8am-6pm

**Schedule IX, 'Limitations on Size of Vehicles'**

Section C: Prohibit Vehicles With More Than Three Axles

**ADD:**

Iverson Av from Gallatin Pk to Coney St

Maynor St from Gallatin Pk to Coney St

W Kirkland Av from Iverson Av to 550'N of Iverson Av

**Schedule X, 'Loading Zones'**

Section A: Commercial

**ADD:**

Belmont Bv, north side (2013 Belmont Bv), 50', Valet Parking 11am-2pm Sun, 6pm-Mid Tues-Sat (Cha-Cha Restaurant)

Section B: Public

**ADD:**

Charlotte Av, north side (15' East of 5th Av N), 50', 24 Hour Loading Zone (65' East of 5th Av N)

Charlotte Av, north side (65' West of 4th Ave N), 50', Passenger Loading Zone (115' West of 4th Av N)

SECTION II. BE IT FURTHER RESOLVED that this Resolution be published in a daily newspaper in Metropolitan Nashville/Davidson County, Tennessee and that a certified copy be filed with the Chief of Police of the Metropolitan Police Department, and that a certified copy be filed with the Metropolitan clerk, and that said Resolution take effect five (5) days thereafter.

APPROVED: September 8, 2008

EFFECTIVE: September 13, 2008

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**The above mentioned items were previously approved under the Consent Agenda.**

**OTHER BUSINESS**

There were no Other Business Items this month.

**ADJOURNMENT**

There being no further business, Capt. Randall Hickerson moved to ***adjourn***, seconded by Council Member Burch and ***approved by voice vote with no opposition***. The meeting adjourned at 5:35 p.m.

Approved on this the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Director  
Department of Public Works

\_\_\_\_\_  
Chairperson  
Traffic and Parking Commission